

UNITED STATES
U.S. District Court EASTERN
DISTRICT COURT OF MICHIGAN

Carnell M.
McCreary-EL.,
Et al.,
Petitioner-Natural Person.

Case No.
MON.

Case:2:23-cv-12100

Judge: Grey, Jonathan J.C.

MJ: Grand, David R.

Filed: 08-15-2023 At 03:40 PM

PET MCCREARY-EL V. STATE OF MICHIGAN
N ET AL (DA)

V,

STATE OF Michigan,
Cathy M. Garrett
Lisa Denise Peterson,
Dwayne B. Seals
Wayne County Clerk's.

PETITION FOR CIVIL ACTION
42 U.S.C. 1983

Now Comes Carnell M. McCreary EL
(Petitioner) A Natural Person and Respectfully
Request the Above and below Relief And
So Request's that this Honorable Court certify
this Case as a Class Action For these
Reasons;

1.) On or About August 14, 2023 while I
was so Exercising my 1st Amendment said
Right to Petition the said Wayne County 3rd
Circuit Court Criminal Division. In my said
Criminal Court Case in Michigan v. Carnell M.
McCreary, Case No.

2.) Cathy M. Garrett, via Her Agent Lisa
Denise Peterson (Defendant-Peterson) Did
Deny me my Right Right to File Defense —

● Motion's etc. By Telling me they Do Not allow the Public to File Paper Pleading any more but only Prisoners who Cannot File in Person.

3.) I Did Inform DeFendant Peterson that she is violating my Procedural & Substantive Due process Rights to File my said Pleadings In Person as mandated, that they Are Violating my Right to Petition the said Government For a Redress of Grievance's etc And Refused to File my Pleadings.

4.) I Informed DeFendant Peterson that she is violating my Federal Constitutional Rights And Asked Her Is this a Policy that is ~~in~~ ^{cm} allowing Her to Do what she is Doing she said "No" And I told Her that this ^{cm} custom which violates my Rights And that I would Sue Her she told me to Do what I Have to Do.

5.) Petitioner says that this custom violates my Right And All State & Wayne County citizens Rights to the Equal Protection of the Law. Because to allow convicted citizens the Right to File Paper Copies and Not the Free general NON-Convicted Persons being Natural Persons the Right is an equal Protection Rights violation.

6.) The Custom of telling the Free Public to E. File only, Discriminates Because some citizens Are Not Computer Literate, or the Elderly Disabled Etc are Not competent to use this unlawful custom Procedure Not sanctioned via the Procedural & Substan-

● tive Due Process Rule's Established by the Michigan Supreme Court.

7. My Cousin SMaka Wilson, was also Denied Her Right as well Complained OF by the Said Defendant's, And ask that this Said Honorable Court Classify this as a Class Action.

8.) SMaka Wilson was Also Denied by Dwayne B. Seal's the Right to Paper File a Pleading in the civil Division in the Said Wayne County civil Clerk's Office Based on this Same Custom, Dwayne B. Seal's (Defendant - Seals), Did use this Custom which Denies All citizen's Rights OF Access to the Courts.

9.) I go to Court August 17, 2023, and on August 14, 2023 I was Denied my Right to File my Defense Motion as a whole.

10.) In 2022 The State OF Michigan Did enforce MCL 600.2950 & MCL 600.2950a, being un-constitutional and I Request that this Honorable Court Hold these statute's to be void Ab initio.

A - Access to the Courts

10.) The above Cathy M. Garrett via Her Agent's Did Deny me Access to the Court to Petition the Government For a Redress of Grievances in violation of:

● 1.) U.S. Const. Amends 1, 14; And to the Said Procedural & Substantive Due process, Johnson v. Avery, 89 S.Ct. 747 (1969) also see

● Lewis v. Casey, 518 U.S. 343, 350 (1996).

B.) Procedural & Substantive Due Process Violations

11.) The above actions violate my said Procedural & Substantive Due Process Rights in violation of U.S. Const. Amends 14; and Pittsley v. Warish, 927 F.2d 3, 6-9 (1st cir. 1991).

C.) Equal Protection Violation

● The above violates the Equal Protection clause of U.S. Const. Amend 14; Malbert v. Michigan, 545 U.S. 605 (2005)

D.) MCL 600.2950 & 600.2950a

Are Unconstitution via Deshauney v. Winn
e baka Department of Social Services, 489 U.S.
189 (1989); ~~Deshauney~~^{cm} Foy v. City of Berea,
58 F.3d 227 (6th cir. 1995).

Where Fore without Further Relief
Petitioner Request the above Relief.

Respect Fully Submitted
BY: Carnell McCreary
Mr. Carnell M. McCreary

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Defendants Cathy M. Garret
Lisa Denise Peterson
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